



<b>1515 NOTIFICATION OF RELATIVES</b>	
Chapter: <b>Case Management Standards for CP and JJ Field Services</b>	Section: <b>Engaging Families</b>
 <p>New Hampshire Division for Children, Youth and Families Policy Manual  Policy Directive: <b>15-05</b>  Effective Date: <b>January 2015</b>  Scheduled Review Date:</p>	<p>Approved:</p>  Lorraine Bartlett, DCYF Director
Related Statute(s): <a href="#">RSA 169-B</a> , <a href="#">RSA 169-C</a> , and <a href="#">RSA 170-E</a> Related Admin Rule(s): Related Federal Regulation(s): <a href="#">SSA 471</a> , and <a href="#">SSA 475</a>	Related Form(s): <b>FORM 2165, FORM 2263, and FORM 2264</b> Bridges' Screen(s) and Attachment(s):

It is best for children to grow in healthy, nurturing families. When it is not possible for a child to remain safely with his or her parent(s) or guardian(s), a relative can maintain family connections and provide familiar surroundings to a child. When a child(ren) cannot live with their parent(s) or guardian(s), extended family members may have a positive impact on the well-being of children.

#### **Purpose**

This policy provides procedures to notify family members of an opportunity to provide relative or foster care to a related child and/or to establish, maintain or enhance connections when a child is removed from his/her parent's legal custody.

#### **Definitions**

**"Adult"** means any person who is 21 or older.

**"Connection"** means a person of importance or influence who can be a link to a child or youth and their family with whom they are separated. A person who is in a position to help support a child or youth in out-of-home placement care and share common interests.

**"CPSW"** means a Children Protective Services Worker employed by DCYF.

**"DCYF"** or the **"Division"** means the DHHS Division for Children, Youth and Families.

**"Due Diligence"** means repeated attempts to locate and identify relatives through various sources and not only rely on parents' information.

**"JPPO"** means the Juvenile Probation and Parole Officer employed by DCYF.

**"Related"** pursuant to RSA 170-E:25 Definitions - XIV means any of the following relationships by blood, marriage, or adoption: parent, grandparent, brother, sister, stepparent, stepgrandparent, stepbrother, stepsister, uncle, aunt, niece and nephew, first cousin, or second cousin. A child is considered related despite a disruption in the legal status of the parent child relationship, including divorce, death, or a termination of parental rights.

**"Relative"** means an individual within the sixth degree of kinship either by blood or affinity, including a parent, grandparent, brother, sister, stepparent, stepsiblings, uncle, aunt, nieces, nephews or first and second cousins of the child per RSA 169-C:3 Definitions XXVI.

**“Sibling”** means one of 2 or more individuals having a common parent through a biological, adoptive, or other current/former legal relationship. This includes an individual who is considered by state/tribal law to be a sibling of a child/youth or an individual who would have been considered a sibling of a child/youth but for the termination or other disruption of parental rights, including death of the parent.

<b>Policy</b>
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| <ul style="list-style-type: none"><li>I. Children/youth may be able to live with extended family members if the parents’ relatives are notified of the need for temporary out-of-home care.</li><li>II. Legal parents or guardians must be asked to provide information about adult relatives who can be contacted to be a placement resource or to provide a connection for the child/youth to his/her family.</li><li>III. Parents must be told verbally or in writing that the Relative Notification Letter was sent to certain adult relatives in their family. A copy of the letter can be sent to them for this purpose.</li><li>IV. Parents who refuse to provide information about adult relatives must be engaged in a discussion regarding the benefits for the child/youth:<ul style="list-style-type: none"><li>A. Knowing the people who will be caring for him/her;</li><li>B. Maintaining family connections for the child/youth;</li><li>C. Maintaining the child/youth in the same school district and community; and</li><li>D. Ability for optimal communication and visitation.</li></ul></li><li>V. When the CPSW/JPPPO is unsuccessful in getting the requested information from the parents, they may consult with the Relative Care Liaison in his/her office for assistance.</li><li>VI. If parents refuse to identify certain relatives because of a history of family or domestic violence, or other history that puts the child/youth or parents at risk of harm, then the relative need not be notified. This must be documented in the Bridges’ case contact log.</li><li>VII. Adult relatives of the removed child/youth need to be notified within 30 days of the child/youth’s removal unless the parent’s or child/youth’s safety would be put at risk.</li><li>VIII. Due diligence to identify and locate relatives must be initiated as early as possible at the time of removal and, if necessary, throughout the first 30 days of the child/youth’s removal. Efforts must continue beyond the first 30 days to identify and locate all adult relatives until all appropriate adult relatives have been given notice.</li><li>IX. Relatives who want to provide a temporary home for a child/youth must become a licensed foster parent or become a relative care home.</li><li>X. Relatives who do not want to or cannot provide a temporary home for a child/youth must be asked if they can provide support for or a connection to the child.</li><li>XI. Foster parents need to be told DCYF is looking for relatives to be a placement resource or an on-going connection for the child/youth.</li></ul> |
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- XII. Foster parents need to know and be involved in plans to have relative(s) contacts with the child/youth and work with the CPSW/JPPPO and relative to develop an agreement about the frequency and type of contact that is desirable and likely to occur.
- XIII. At the time of the three, six or nine month court reviews or [Family Assessment and Inclusive Reunification \(FAIR\)](#) meetings, include documentation in the Bridges' case contact log detailing relatives who were contacted for placement or connection purposes and the reason placement did or did not occur.

### **Procedures**

- I. CPSW/JPPPO completes the Family Inquiry Tool (Form 2264) with the parent or guardian requesting information about relatives (as early as possible) whenever out-of-home placement is a possibility. (The Family Inquiry Tool should be included in the DO placement packet.)
- II. If the Family Inquiry Tool is not completed because the parents refuse or do not have the information, the CPSW/JPPPO makes another attempt to obtain the needed information from a parent or guardian within 5 days of child/youth's placement and again at the first FAIR meeting.
- III. CPSW/JPPPO uses the completed Family Inquiry Tool (Form 2264) to begin the process of contacting relatives to determine the relative's level of interest in becoming a placement or connection resource and to know what additional information (e.g. becoming a foster parent) is to be sent to the relative.
  - A. This contact with relatives should be made in person when possible.
  - B. If they are interested in becoming a placement resource they need to know as early as possible what their role will be and the boundaries they need to maintain through the child/youth's placement in order to avoid confusion and frustration for the child/youth.
- IV. CPSW/JPPPO documents their efforts to obtain the relative notification information from parents and their efforts to contact relatives in the Bridges case contact logs.
- V. CPSW/JPPPO sends out the Relative Notification Letter (Form 2263) to each relative identified on the Family Inquiry Tool (Form 2264) within 30 days of the child's placement.
- VI. If these attempts are unsuccessful the CPSW/JPPPO makes a referral to the Connections Search Unit (Form 2165) when:
  - A. The parents are resistant or do not know the information about their relatives;
  - B. There is minimal or no response to the Relative Notification Letter (Form 2263);
  - C. Relatives do not follow through after their initial response to the CPSW/JPPPO; or
  - D. There is a Permanency Planning Team meeting and CPSW/JPPPO requests assistance because the following conditions exist:
    - 1. Parent(s) have refused to provide any information regarding relatives or other connections;
    - 2. Parent(s) say that there are no relatives or other connections;

3. Relatives or connections identified are unwilling or unable to participate as a resource for the child/youth;
  4. Placement is needed and relatives or connections identified are unable or unwilling to provide placement; or
  5. Relatives and connections have been provided by the parent, but are not able to be located.
- VII. Assessment CPSW gives the completed Family Inquiry Tool (Form 2264) from the birth parent or guardian to the joining Family Services CPSW; no later than the case transfer meeting. The Inquiry Tool (Form 2264) is filed in the child's case file.
- VIII. CPSW/JPPPO receives information back from relatives and reviews the available options for placement/connections and decides with the supervisor who should be contacted for appropriate placement. The earliest Permanency Planning Team meeting or case-joining meeting is an opportunity to explore options and/or divide up tasks.
- IX. The CPSW/JPPPO assures information about becoming a foster parent or a relative care home provider, is sent to relatives who indicate an interest in helping the child/youth in this way.
- X. If one or more relatives want to be considered as a placement resource for the child/youth, the CPSW/JPPPO and supervisor must consider:
  - A. Parents' preferences;
  - B. The religious, ethnic and cultural practices of the family;;
  - C. How cooperative the relative(s) and parent(s) will be with the case plan, permanency plan and court orders;
  - D. If the relative(s) can agree to the boundaries established by DCYF and/or the courts;
  - E. Family relationships and how they may support/interfere with the child/youth's placement;
  - F. Proximity of the child/youth's placement to the parents;
  - G. Child/youth's preferences;
  - H. Stability of child/youth's education; and
  - I. Any other factors that might be in the child/youth's best interests to be placed with a relative or one relative over another relative.
- XI. If there are no relatives who want to be considered as a placement resource, the CPSW/JPPPO needs to identify relatives who may want to participate in visiting the child/youth or maintain a connection to the child/youth's family in other ways such as phone calls, e-mail, attending school or athletic events, etc.
- XII. If the child or youth is in a relative care home, the CPSW/JPPPO needs to continue to identify relatives who may become important permanent connections.

- XIII. If more than one relative wants to maintain a connection during and after the child/youth's placement, the CPSW/JPPPO and supervisor must consider:
- A. If the child/youth desires, and can comfortably engage in, multiple relative contacts;
  - B. If contacts by multiple relatives with the child/youth will interrupt the child/youth's daily routine, social development and/or activities;
  - C. If multiple relatives wish to visit with the child/youth, visitation must not interrupt parents' visits with the child/youth;
  - D. If all of the relatives communications with the child/youth can be consistent with the case plan and court orders and be supportive of parents; and
  - E. If any of the relatives may be considered for the child/youth's permanent placement if reunification is not possible.
- XIV. The CPSW/JPPPO needs to inform and work with foster parents about the relative(s) contacts with the child/youth while in their care.
- XV. The CPSW/JPPPO needs to inform foster parents that DCYF is searching for relatives to be a placement resource or an ongoing connection for the child/youth.
- XVI. The CPSW/JPPPO reviews with a supervisor or team members at the three, six or nine month court reviews or at FAIR meetings, existing (if any) relative connections and potential placements with a relative, including a potential permanent placement, especially when the permanency goal is not reunification.

### **Practice Guidance**

#### **What if a parent refuses to provide information about potential relative providers at the time of placement?**

- It is not unusual for a parent to initially not want their relatives to know his/her child(ren)/youth has been removed. However, this question should be revisited with the parent(s) as early as one week, and if the child(ren)/youth remains in care post-adjudication, until a permanent connection is found. Best practice is to coincide with the adjudicatory and dispositional court hearings and reviews at 3 months, 6 months, and 12 months.

#### **Regarding the relative care notice, what if a parent says no to contacting a relative?**

- Parents who refuse to provide information about adult relatives must be engaged in a discussion regarding the benefits for the child/youth: (1) Knowing the people who will be caring for him/her; (2) Maintaining family connections for the child/youth; (3) Maintaining the child/youth in the same school district and community; and (4) Ability for optimal communication and visitation.

#### **If the family identifies the relative as a sex offender or threat, do I still have to send the letter?**

- No. The identifying information regarding the relative must still be collected. It must be documented in the Bridges Case Contact Log, using the "relatives considered" collateral, that a letter was not sent and the reason why. If the relative's status was confirmed via a search of the NH Offender Registry (or other applicable state), include that information documentation. The NH Offender Registry can be accessed at <http://business.nh.gov/nsor/>

**What is a "Relatives Considered" Collateral?**

- A collateral should be created for every open case titled "Relatives Considered" (Relatives Considered will be entered in lieu of a name). "Relatives Considered" should be selected as a collateral contact when identifying information is being requested, a letter has been sent or received, a phone contact is made to a relative in response to the letter, a summary is being provided regarding a relative placement being considered and the reason it did or did not occur, and/or when a meeting such as FAIR, or a court hearing has taken place in which relative contacts were discussed.

**If a child has half-siblings, but the parents were never married so the half sibling's parent is not a stepparent, should he/she still be considered a relative?**

- Pursuant to SSA 471(a)(29), all parents of a sibling to a child/youth, where such parent has legal custody of such sibling, are considered relatives. Even if the common parent of the 2 children has had his/her rights terminated, the children are still siblings and the parent with custody of the sibling is a relative to the child/youth who is in out-of-home care.

**Can a former stepparent be considered if there is no longer a legal relationship?**

- A former stepparent is still considered a relative for the purposes of relative care placements and should be provided a Relative Notification Letter if he/she is interested in being a relative placement for the child/youth.

**If a child/youth is initially placed with a Relative Care Provider, do more relatives need to be identified and notified?**

- Yes. Identification and notification should be an ongoing process because the goal is to find permanent connections for the child/youth. This may not be appropriate in all cases and should be discussed with a supervisor and documented in the Bridges Case Contact Log. Letters that are not sent need to be entered in Bridges as RELATIVE NOTICE NOT SENT and the reason needs to be specified. Eg. "already spoke with relative" or "child is already placed with said relative."

**Do I need to send a letter when a youth is in shelter care?**

- Youth often go to shelter care because they are not safe to be in a family setting. Efforts should still be made by CPSWs/JPPOs to identify and document the consideration of relatives. Once the youth is released from shelter care, notifications should be provided if the youth will not be reunified with a parent. CPSWs/JPPOs should use their best judgment if a youth will be discharged from shelter care and will not be reunified with a parent in determining when it is the appropriate time to provide relative notifications. These circumstances should be discussed in supervision, at PPT, and case reviews and documented in the Bridges Case Contact Logs.

**If a worker has a phone conversation with the potential relative caregiver regarding the child/youth, does a letter still need to be sent out to them?**

- The Federal Regulations requires states to provide specific information to relatives, which is outlined and provided in the letter. As a general rule, yes you should send a letter and keep a copy in the case record. However, if the child/youth is already placed with the relative, an alternative is to document your conversation in Bridges being sure to mention in the contacts the 5 key points required by federal regulations and send the welcome letter in lieu of the Relative Care Notification.

**If the 30 days have passed, do I still need to send notification letters?**

- Yes. Letters should be reviewed and sent periodically until a permanent connection is established. Best practice is to coincide with court reviews at 3 months, 6 months, and 12 months, but every case is different with a unique set of circumstances that should be discussed in supervision, at Permanency Planning Team (PPT), and case reviews and documented in the Bridges Case Contact Log.